	Application No.	Applicant(s)
AL 4 CAR LUG.	10/813,413	YANAGISAWA ET AL.
Notice of Allowability	Examiner	Art Unit
	Thai-Ba Trieu	3748
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this apport or other appropriate communication GHTS. This application is subject to	plication. If not included will be mailed in due course. THIS
1. This communication is responsive to <u>12/06/2004</u> .		
2. The allowed claim(s) is/are <u>1-15</u> .		
3. The drawings filed on <u>06 December 2004</u> are accepted by the Examiner.		
4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All b) ☐ Some* c) ☐ None of the: 1. ☑ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ hereto or 2) ☐ to Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL.		
Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. Interview Summary Paper No./Mail Dat 8), 7. Examiner's Amendr	te

Application/Control Number: 10/813,413

Art Unit: 3748

DETAILED ACTION

This Office Action is in response to the Amendment filed on November 06, 2004. Applicant's cooperation in correcting the informalities in the drawing and specification is appreciated. Applicant's arguments, see Pages 7-11, filed November 06, 2004, with respect to the Rejections of claims 1-3, 5-10 and 12 have been fully considered and are persuasive. The Rejections of claims 1-3, 5-10 and 12 have been withdrawn.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: None of the cited prior art alone or in combination teaches the claimed combination of a turbocharged internal combustion engine having an exhaust gas recirculation system including:

"capacity of the turbine being set such that in a high speed and high load region of the engine operating state, if the exhaust gas is supplied to the turbine with the EGR valve closed, the turbocharger overruns beyond a maximum speed limit, and if the EGR valve is opened to return some of the exhaust gas to an intake passage side, the turbocharger rotates at lower speed than the maximum speed limit."

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Application/Control Number: 10/813,413 Page 3

Art Unit: 3748

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai-Ba Trieu whose telephone number is (571) 272-4867. The examiner can normally be reached on Monday - Thursday (6:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on (571) 272-4859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTB February 19, 2005

Thai-Ba Trieu Primary Examiner Art Unit 3748